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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 SEP 27 P 2:28

Arizona Corporation Commission

DOCKETED

SEP 27 2006

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

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IN THE MATTER OF THE PETITION OF LEVEL
3 COMMUNICATIONS LLC FOR ARBITRATION
OF AN INTERCONNECTION AGREEMENT
WITH QWEST CORPORATION PURSUANT TO
SECTION 252(b) OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-03654A-05-0350

DOCKET NO. T-01051B-05-0350

PROCEDURAL ORDER

BY THE COMMISSION:

On August 18, 2006, Level 3 Communications ("Level 3") and Qwest Corporation ("Qwest") each filed Interconnection Agreements which they assert comply with the findings of Decision No. 68817 (June 29, 2006), in which the Arizona Corporation Commission ("Commission") arbitrated the parties' Interconnection Agreement. The parties have been unable to reach agreement on how to memorialize and implement the Commission's order in Decision No. 68817 to eliminate the use of VNXX and implement an "FX-like" interim solution.

By Procedural Order dated August 24-, 2006, a Procedural Conference was held on September 6, 2006, with the purpose of establishing a procedure for resolving the dispute. Qwest, Level 3 and the Commission's Utility Division Staff ("Staff") participated. At that time the parties agreed to participate in a mediation with Staff in an attempt to resolve, or at least narrow the issues for hearing. A Procedural Conference to determine the status of the negotiations convened on September 25, 2006.

At the September 25, 2006 Procedural Conference the parties reported that they continued to engage in discussions, but that final language that would resolve the dispute could not be agreed upon that day. The parties proposed that the Commission convene another Procedural Conference in approximately one week, at which time they believed they would know if the matter could be settled, or would need to be set for hearing. Staff concurred that the proposal was reasonable and could result in a successful compromise.

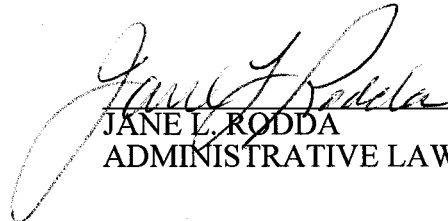
1 Consequently, we will set a Procedural Conference in approximately one week to determine
2 the status of negotiations and/or to establish the scope and procedural schedule for a future hearing,
3 as well as any other relevant issues.

4 IT IS THEREFORE ORDERED a **Procedural Conference** shall commence on **October 3,**
5 **2006 at 1:30 p.m.,** or as soon thereafter as is practical, at the Commission's Phoenix offices, 1200
6 West Washington St., Phoenix, Arizona 85007.

7 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
8 Communications) continues to apply to this proceeding and shall remain in effect until the
9 Commission's Decision in this matter is final and non-appealable.

10 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
11 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
12 hearing.

13 DATED this 26th day of September, 2006.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

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17 Copies of the foregoing mailed
this 26th day of September, 2006 to:

18 Michael W. Patten
19 Roshka DeWulf & Patten, PLC
20 One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

21 Richard E. Thayer
22 Erik Cecil
23 Level 3 Communications, LLC
1015 Eldorado Boulevard
Broomfield, CO 80021

24 Henry T. Kelly
25 Joseph E. Donovan
26 Scott A. Kassman
27 Kelley, Drye & Warren LLP
333 West Wacker Drive
Chicago, IL 60606
28

1 Christopher W. Savage
2 Cole, Raywid & Braverman, LLP
3 1919 Pennsylvania Ave., NW
4 Washington, DC 20006

5 Norman G. Curtright
6 QWEST CORPORATION
7 20 East Thomas Road, 16th Floor
8 Phoenix, AZ 85012


9 Thomas M. Dethlefs
10 Senior Attorney
11 Qwest Legal Dept/CD&S
12 1801 California St., Suite 900
13 Denver, Colorado 80202

14 Ted D. Smith
15 Stoel Rives LLP
16 201 South Main Street, Suite 1100
17 Salt Lake City, Utah 84111

18 Christopher Kempley, Chief Counsel
19 Legal Division
20 ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23 Ernest Johnson, Director
24 Utilities Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28 ARIZONA REPORTING SERVICE, INC.
2627 North Third Street
Phoenix, AZ 85004-1103

By 
Juanita Gomez,
Secretary to Jane L. Rodda